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RECENT IMPORTANT DECISIONS.

ADVERSE POSSESSION — RAILROADS — EFFECT OF CHANGE OF LINE. — Where a railroad company, which by the construction of its road acquired a right of way over public lands, has re-located its line over another right of way, held that the old right of way can be acquired by adverse possession. *Mills v. Denver and R. G. R. Co.* (D. C. Colo. 1912) 198 Fed. 137.

The Railroad Company, to sustain the rule that a railroad company's right of way is held for a public use, and cannot be acquired by adverse possession, cited and relied upon *Northern Pacific R. R. Co. v. Ely*, 197 U. S. 1, 49 L. Ed. 639, and *Northern Pacific R. R. Co. v. Townsend*, 190 U. S. 267, 47 L. Ed. 1044, in which cases the rights of way had been granted by Congress. But the court pointed out that the reason for the rule in those cases did not exist in the principal case, because the original route given by Congress for the line of the road had been abandoned, and no part of it was being used for the intended purpose. On the question whether lands acquired for the use of a railroad are subject to the rules governing private property and can be acquired by adverse possession, the United States Supreme Court rule announced in the above cases is followed in only a few states—*McLucas v. St. Joseph & G. I. Ry. Co.*, 67 Neb. 603; *Mobile & Ohio Ry. Co. v. Donovan*, 104 Tenn. 465; *Union Pacific Ry. Co. v. Kindred*, 43 Kan. 134—while the great majority of the states seem to follow the contrary rule: *Illinois Central Ry. Co. v. Houghton*, 126 Ill. 233, 9 Am. St. Rep. 581, 18 N. E. 301; *Pittsburg etc. Ry. Co. v. Stickley*, 155 Ind. 312, 58 N. E. 192; *Pollock v. Maysville etc. Ry. Co.*, 103 Ky. 84, 44 S. W. 359; *Matthews v. Lake Shore Ry. Co.*, 110 Mich. 170, 64 Am. St. Rep. 336, 67 N. W. 1111; *Northern Pacific Ry. Co. v. Townsend*, 84 Minn. 152, 87 Am. St. Rep. 342, 86 N. W. 1007; *Wilmot v. Yazoo etc. Ry. Co.*, 76 Miss. 374, 24 South. 701; *Spottiswoode v. Morris etc. Ry. Co.*, 61 N. J. L. 322, 40 Atl. 505; *Texas etc. Ry. Co. v. Maynard* (Tex. Civ. App.), 51 S. W. 255; *Northern Pac. Ry. Co. v. Ely*, 25 Wash. 384, 65 Pac. 555; *Bobbett v. Southeastern Ry. Co.*, L. R. 9, Q. B. Div. 424.

BANKRUPTCY—EXTENSION OF TIME FOR FILING PETITION FOR DISCHARGE.—A bankrupt, more than a year after adjudication, filed a petition asking for an extension of time in which to file an application for discharge under § 14a of the Bankruptcy Act, and the court, without notice to creditors, granted the petition, and the application was filed. Creditors moved to vacate the order on the ground that no notice had been given, that the petition was not verified, and that the grounds stated in the petition were insufficient. The petition for leave to file stated that the petitioner "believed that his attorneys had filed his petition for discharge within the statutory period of 12 months, and in compliance with the law relating thereto; that his said attorneys understood and honestly believed that they were not to file such petition until further specific instructions from the bankrupt; and, that owing to such misunderstanding, with no intention to mislead or delay, and